

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

NATHAN L. ADAMS,)	
)	
Plaintiff,)	
)	
v.)	No. 1:19-cv-02179-TWP-MJD
)	
GRANT STEVENS, et al.)	
)	
Defendants.)	

Entry Screening Complaint and Directing Further Proceedings

**I.
Screening Standard**

The plaintiff is a prisoner currently incarcerated at Pendleton Correctional Facility (“Pendleton”). Because the plaintiff is a “prisoner” as defined by 28 U.S.C. § 1915A(c), this Court has an obligation under 28 U.S.C. § 1915A(b) to screen his complaint before service on the defendants. Pursuant to 28 U.S.C. § 1915A(b), the Court must dismiss the complaint if it is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief. In determining whether the complaint states a claim, the Court applies the same standard as when addressing a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). *See Cesal v. Moats*, 851 F.3d 714, 720 (7th Cir. 2017). To survive dismissal,

[the] complaint must contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its face. A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.

Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009). Pro se complaints such as that filed by the plaintiff are construed liberally and held to a less stringent standard than formal pleadings drafted by lawyers. *Perez v. Fenoglio*, 792 F.3d 768, 776 (7th Cir. 2015).

II. The Complaint

The plaintiff brings this action pursuant to 42 U.S.C. § 1983 against the following defendants, all of whom are staff at Pendleton: (1) James Boldman; (2) Melanie Burns; (3) Richard Colestock; (4) Officer Davis; (5) Brantley Ferguson; (6) Jacqueline Hibbard; (7) David Mason; (8) Kyle McKinney; (9) David Popkylski; (10) Jacob Reed; (11) Steven Reynolds; (12) Alexander Shaw; (13) Bruce Slinkard; and (14) Grant Stevens.

The plaintiff alleges that from March 2017 through July 2017 the defendants worked in concert to deprive him of breakfast in retaliation for filing grievances against another offices. This left him without food for 19 hours a day—between dinner and the follow day’s lunch. The lack of sufficient food caused him significant pain and suffering. He seeks monetary damages and injunctive relief.

III. Discussion of Claims

The plaintiff’s allegations are sufficient to state First Amendment retaliation claims and Eighth Amendment conditions claims, *see Williams v. Shah*, --- F.3d ----, 2019 WL 2439738 (7th Cir. 2019), against the defendants. These claims **shall proceed**.

This summary of remaining claims includes all of the viable claims identified by the Court. All other claims have been dismissed. If the plaintiff believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have **through July 19, 2019**, in which to identify those claims.

IV. Service of Process

The clerk is **directed** pursuant to *Fed. R. Civ. P.* 4(c)(3) to issue process to defendants (1) James Boldman; (2) Melanie Burns; (3) Richard Colestock; (4) Officer Davis; (5) Brantley

Ferguson; (6) Jacqueline Hibbard; (7) David Mason; (8) Kyle McKinney; (9) David Popkylski; (10) Jacob Reed; (11) Steven Reynolds; (12) Alexander Shaw; (13) Bruce Slinkard; and (14) Grant Stevens in the manner specified by *Fed. R. Civ. P.* 4(d). Process shall consist of the complaint (docket 1), applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Entry.

IT IS SO ORDERED.

Date: 7/3/2019



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

NATHAN L. ADAMS
112090
PENDLETON - CF
PENDLETON CORRECTIONAL FACILITY
Electronic Service Participant – Court Only

Electronic Service to IDOC (all employees at Pendleton Correctional Facility):

James Boldman
Melanie Burns
Richard Colestock
Officer Davis
Brantley Ferguson
Jacqueline Hibbard
David Mason
Kyle McKinney
David Popkylski
Jacob Reed
Steven Reynolds
Alexander Shaw
Bruce Slinkard
Grant Stevens